

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

IN RE: §
§ MISC. NO. C-07-019
CLIFFORD POLLARD TURNER §

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
TO DENY MOTION TO PROCEED *IN FORMA PAUPERIS***

On March 28, 2008, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that movant's motion to proceed *in forma pauperis* (D.E. 22) be denied. The Memorandum and Recommendation further recommended that movant be barred from filing any additional motions to proceed *in forma pauperis* in this Court unless he files a current copy of his inmate trust fund account statement with the motion as well as a completed copy of his habeas petition or civil complaint; and that the Clerk of the Court be instructed to return to movant any filings that do not conform to this requirement. The Memorandum and Recommendation also recommended that, should the Court adopt this recommendation, the denial be characterized as one described by 28 U.S.C. § 1915(g) as frivolous, and that the Clerk be directed to provide a copy of the order of dismissal to: District clerk for the Eastern District of Texas, Tyler Division, 211 West Ferguson, Tyler, Texas 75702, Attention: Betty Parker.

A copy of the Memorandum and Recommendation was mailed to movant with a card to be returned indicating his receipt of the mailing. The card has not been returned by movant nor has the mailing been returned by the U.S. Post Office as undeliverable. Therefore, seeing no objection to this recommendation by either party and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court. Accordingly, it is ORDERED as follows:

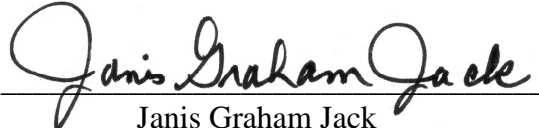
1) movant's motion to proceed *in forma pauperis* (D.E. 22) is denied;

2) movant is barred from filing any additional motions to proceed *in forma pauperis* in this Court unless he files a current copy of his inmate trust fund account statement with the motion as well as a completed copy of his habeas petition or civil complaint; and the Clerk of the Court is instructed to return to movant any filings that do not conform to this requirement; and

3) this denial is characterized as one described by 28 U.S.C. § 1915(g) as frivolous, and the Clerk is directed to provide a copy of this order to: District clerk for the Eastern District of Texas, Tyler Division, 211 West Ferguson, Tyler, Texas 75702, Attention: Betty Parker.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 4th day of June, 2008.



Janis Graham Jack
United States District Judge